

Amendment
Serial No. 10/743,786
Attorney Docket No. 032178

REMARKS

Claims 1-7 are pending in the application. Claims 1-4 were allowed. Claims 5-7 were rejected. Claim 8 is herein cancelled without prejudice. Claim 5 is amended herein.

Applicants' Response to Claim Objections

The Office Action objected to claim 8 because it was a repetition of claim 7. Claim 8 has been cancelled herein without prejudice.

Applicants' Response to Claim Rejections Under 35 U.S.C. §102

Claims 5-7 were rejected under 35 U.S.C. §102(e) as being anticipated by McGrath et al. (U.S. Patent No. 6,648,506).

The Office Action argues that **McGrath** discloses the apparatus as recited by claim 5. Claim 5 recites an apparatus, partially by means-plus-function language. In order to differentiate over the means disclosed in **McGrath**, Applicants amend claim 5 to recite that the calculating means uses the formula recited in claim 1. As stated on pages 3 and 4 of the Office Action, use of this formula is neither taught nor suggested by the cited art. Therefore, Applicants respectfully submit that this amendment is sufficient to place the application in condition for allowance. Furthermore, applicants have also amended claim 5 to recite a "temperature-sensitive paint" instead of a "heat-sensitive paint." Favorable reconsideration is respectfully requested.

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For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned agent.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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